

Amendments to Senate Bill No. 195
1st Reading CopyDate 2-23-07Bill No. SB 195

Requested by Senator Greg Lind

For the Senate Natural Resources and Energy Committee

Prepared by Todd Everts
February 21, 2007 (1:49pm)

1. Title, line 5 through line 14.

Strike: "ELIMINATING" on line 5 through "MCA" on line 14**Insert:** "ELIMINATING THE REQUIREMENT THAT A PUBLIC UTILITY
FUNCTIONALLY SEPARATE ITS ELECTRICITY SUPPLY, RETAIL
TRANSMISSION, RETAIL DISTRIBUTION, AND REGULATED AND
UNREGULATED RETAIL ENERGY SERVICES IN MONTANA; AND AMENDING
SECTION 69-8-204, MCA"

2. Page 1, line 18 through page 20, line 18

Strike: everything after the enacting clause**Insert:** "Section 1. Section 69-8-204, MCA, is amended to read:

"69-8-204. Public utility -- ~~functional separation,~~
~~divestiture, and nondiscrimination.~~ (1) ~~To the extent that a~~
~~public utility is vertically integrated, a public utility shall~~
~~functionally separate the public utility's electricity supply,~~
~~retail transmission, retail distribution, and regulated and~~
~~unregulated retail energy services operations in the state of~~
~~Montana, upon application to and approval from the commission.~~

~~(2)~~ (1) Public utilities shall:

(a) prevent undue discrimination in favor of their own
power supply, other services, divisions, or affiliates, if any;

(b) prevent any other forms of self-dealing that could
result in noncompetitive electricity prices to customers; and

(c) grant customers and their electricity suppliers access
to the public utility's retail transmission and distribution
system on a nondiscriminatory basis at rates, terms, and
conditions of service comparable to the use of the retail
transmission and distribution system by the public utility and
the public utility's affiliates.

~~(3)~~ (2) The provisions of this section are satisfied if the
public utility adopts and complies with a code of conduct
consistent with the federal energy regulatory commission approved
code of conduct pursuant to 18 CFR, part 37, and commission rules
and orders."

{ Internal References to 69-8-204:
69-8-201x } "

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